

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WILLIAM K. PHILHOWER,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 05-044-KAJ
)	
CAROLE J. DUNN, and LAWRENCE)	
M. SULLIVAN,)	
)	
Defendants.)	

ORDER

WHEREAS, the plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;


WHEREAS, on February 15, 2005, this Court entered an order granting leave to proceed in forma pauperis and requiring the plaintiff to file a certified copy of his prison trust account statement (D.I. 4);

WHEREAS, on April 12, 2005, this Court assessed an initial partial filing fee of \$33.87, and ordered the plaintiff to complete and return an authorization form (D.I. 7);

WHEREAS, the authorization form was to be filed within thirty (30) days from the date the order was sent or the case would be dismissed;

WHEREAS, to date, the authorization form has not been received from the plaintiff;

THEREFORE, at Wilmington this 1st day of
June, 2005, IT IS HEREBY ORDERED that the
plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.


United States District Judge